



PATENT
Attorney Docket No.: A-57518-2/DJB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	Examiner: DADIO, S.
)	
WEISS et al.)	Group Art Unit: 1808
)	
Serial No.: UNKNOWN)	
)	
Filed: HEREWITH)	
)	
For: BIOLOGICAL FACTORS AND)	
NEURAL STEM CELLS)	
)	

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H.9.1
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DECLARATION UNDER M.P.E.P. §715.01(c)

Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

The undersigned, Samuel Weiss hereby declares and states that:

1. I was a co-author of the abstract entitled "EGF- and TGF α -responsive striatal embryonic progenitor cells produce both neurons and astrocytes" printed in Soc. Neurosci. Abstr. Vol. 15 (Oct/Nov 1990) [hereinafter "the Abstract"]. Dr. Dr. Brent A. Reynolds and Dr. Wolfram Tetzlaff were also co-authors of the Abstract.

2. The subject matter disclosed in the Abstract is also described in co-pending U.S. patent application Ser. No. 08/270,412 filed July 5, 1994, which is a continuation application of U.S.S.N. 07/726,812 [hereinafter "the Parent Application"] filed July 8, 1991, from which the above-identified application claims priority. Dr. Reynolds and I are inventors of the subject matter claimed in the Parent Application, but Dr. Tetzlaff is not.

3. At the time the Abstract was written, Dr. Tetzlaff was a faculty member at the University of Calgary. His laboratory was adjacent to mine, but his area of research was different in that he was studying gene expression following axotomy

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and axon regeneration while I was studying neural cell cultures. Dr. Reynolds had planned to begin his Ph.D. work in Dr. Tetzlaff's lab. However, prior to the time that he was to work in Dr. Tetzlaff's lab, he was working on experiments in my lab related to the effects growth factors had on the survival of neural cells in culture. When we found proliferating cells in the neural cell cultures Dr. Reynolds and I designed experiments to determine whether the proliferating cells might be stem cells. At the time, no one else had reported the proliferation of neural stem cells in culture. Dr. Reynolds then changed his thesis project to the work being done in my lab.

4. Dr. Tetzlaff was listed as an author on the Abstract because he was Dr. Reynold's academic advisor and thus financially supported Dr. Reynolds at the time the Abstract was written. As is typically done amongst colleagues in a university setting, Dr. Tetzlaff took part in discussions and critique of experimental results coming out of my lab. However, as far as conceiving the idea and designing and executing the experiments that proved that neural stem cells could proliferate in culture, this is the work of Dr. Reynolds and myself.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that willful, false statements may jeopardize the validity/enforceability of the application or any patent issued thereon.

Dated: 15-12-94

Signature: 
Samuel Weiss, Ph.D.